

**REAL ESTATE EXAMINING BOARD
MEETING MINUTES
JUNE 9, 2016**

PRESENT: Stephen Beers, Kitty Jedwabny (*Via GoToMeeting*), Michael Mulleady, Randal Savaglio, Dennis Pierce

EXCUSED: Marie Hetzer, Brian McGrath

STAFF: Brittany Lewin - Executive Director; Samantha Weishan - Bureau Assistant; Sharon Henes - Administrative Rules Coordinator; and Other Department Staff

CALL TO ORDER

Stephen Beers, Chair, called the meeting to order at 10:07 a.m. A quorum of five (5) members was confirmed.

ADOPTION OF AGENDA

Amendments to the Agenda:

- *Remove Item L: Presentation and Deliberation on Credentialing Matters*

MOTION: Randal Savaglio moved, seconded by Dennis Pierce, to adopt the agenda as amended. Motion carried unanimously.

APPROVAL OF THE MINUTES

MOTION: Randal Savaglio moved, seconded by Dennis Pierce, to approve the minutes of April 21, 2016 as published. Motion carried unanimously.

LEGISLATIVE AND ADMINISTRATIVE RULE MATTERS

Real Estate Examining Board 11-25 Relating to Act 258

MOTION: Randal Savaglio moved, seconded by Michael Mulleady, to approve the amending of REEB 11-25 relating to Act 258 for emergency rule submission to the governor, publication in an official newspaper and for the permanent rule posting of economic impact. Motion carried unanimously.

CREDENTIALING MATTERS

Discussion on Delegated Authority for Conviction Review

MOTION: Michael Mulleady moved, seconded by Dennis Pierce, to delegate authority to the DSPS attorney to review and approve applications with up to two OWIs, each 5 or more years old. Motion carried unanimously.

MOTION: Michael Mulleady moved, seconded by Dennis Pierce, to delegate authority to the DSPS attorneys to review and approve applications with ordinance violations which are not substantially-related to the practice of real estate, including but not limited to:

- 1) Littering
 - 2) Loitering
 - 3) Up to two (2) Underage Drinking offenses
 - 4) Resisting/Obstructing an Officer
 - 5) Public Urination
 - 6) Disorderly Conduct
 - 7) Trespassing
 - 8) Disturbing the Peace
 - 9) Operating after Suspension/Revocation
- Motion carried unanimously.

MOTION: Michael Mulleady moved, seconded by Dennis Pierce, to delegate authority to the DSPS attorneys to review and approve applications for Real Estate Broker applications which have previously been approved for a full Real Estate Salesperson credential after a criminal background check and there has been no criminal activity since the previous license approval. Motion carried unanimously

CLOSED SESSION

MOTION: Randal Savaglio moved seconded by Dennis Pierce, to convene to closed session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85 (1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.). Stephen Beers read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Stephen Beers-yes; Kitty Jedwabny-yes; Michael Mulleady-yes; Dennis Pierce-yes; Randal Savaglio-yes. Motion carried unanimously.

The meeting convened into closed session at 11:58 a.m.

RECONVENE TO OPEN SESSION

MOTION: Michael Mulleady moved, seconded by Randal Savaglio, to reconvene into open session. Motion carried unanimously.

The meeting reconvened into open session at 12:06 p.m.

VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION

MOTION: Michael Mulleady moved, seconded by Randal Savaglio, to affirm all votes made in Closed Session. Motion carried unanimously.

DIVISION OF LEGAL SERVICES AND COMPLIANCE MATTERS

Administrative Warnings

MOTION: Randal Savaglio moved, seconded by Dennis Pierce, to issue an Administrative Warning in the following matters:

1. 14 REB 118 – M.T.N.
2. 14 REB 150 – S.A.W.

Motion carried unanimously.

Proposed Stipulations, Final Decisions And Orders

MOTION: Dennis Pierce moved, seconded by Randal Savaglio, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against:

1. 14 REB 061 – Lance W. Nowak
2. 14 REB 093 – Bradley R. Hetland, Paradigm Real Estate Group, Inc.
3. 14 REB 093 – Susan K. Wells
4. 15 REB 052 – Caston Love
5. 15 REB 102 – David C. Larson and Lancer Group, Inc.

Motion carried unanimously.

Case Closings

MOTION: Randal Savaglio moved, seconded by Michael Mulleady, to close the following cases for the reasons outlined below:

1. 14 REB 061 (O.R.R.E. LLC) – Prosecutorial Discretion (P7)
2. 14 REB 090 (T.P.S., B.R.E.I.) – Prosecutorial Discretion (P3)
3. 14 REB 114 (G.S., D.K., W.W.P. LLC) – Insufficient Evidence
4. 15 REB 010 (M.M., T.R.E.G.I., C.P.) – No Violation
5. 15 REB 042 (L.B.) – No Violation
6. 15 REB 046 (K.M., 24/7 R.E. LLC) – Prosecutorial Discretion (P3)
7. 15 REB 048 (L.V.E., C.P., T.R.E.G.I.) – No Violation
8. 15 REB 065 (T.G., P.L., L.R.I.) – Insufficient Evidence
9. 15 REB 68 (S.D.S., M.H.P., M.R. LLC) – Insufficient Evidence

Motion carried unanimously.

PROPOSED FINAL DECISIONS AND ORDERS

Casey J. Ehler - (DHA Case #SPS-1510085)(DLSC Case #13 REB 127)

MOTION: Michael Mulleady moved, seconded by Randal Savaglio, to delegate decision making authority to Mike Berndt, Chief Legal Counsel, in the matter of disciplinary proceedings against Respondent Casey J Ehler, DLSC case number 13 REB 127. Motion carried. Recused: Dennis Pierce

(Dennis Pierce recused himself and left the room for deliberation, and voting in the matter concerning Casey J. Ehler - (DHA Case #SPS-1510085)(DLSC Case #13 REB 127).)

ADJOURNMENT

MOTION: Randal Savaglio moved, seconded by Michael Mulleady, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 12:07 p.m.